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April 4, 2003

VIA FEDERAL EXPRESS & E-MAIL

Mary L. Cottrell, Secretary
Department of Telecommunications & Energy
Commonwealth of Massachusetts
One South Station, Second Floor
Boston, MA 02110

Re: D.T.E. 01-20

Dear Ms. Cottrell:

As requested by the Department on April 1, 2003, RCN-BecoCom, LLC ("RCN"), by its attorneys, hereby submits its response to the proposal Verizon submitted in its March 28, 2003 Reply Comments that serve to address RCN's concerns about the application of TELRIC rates to IOF transport (Verizon Reply Comments at 35-37).

Verizon's proposal essentially concedes that Verizon's tariff requires revision for the reasons articulated in RCN's March 18, 2003 Comments. RCN finds that Verizon's proposed clarifying language that replaces the language in Part C, Section 1.5.1.A.2 of the DTE MA No. 17 tariff is ambiguous, and invites confusion and potential future litigation. Specifically, Verizon's proposed language providing that "Transport will be provided...under the terms and conditions of the applicable Telephone Company tariff" is not at all clear regarding which Verizon tariff applies. In fact, only DTE No. 17 tariff terms should apply, since this section comes within the DTE No. 17 tariff. Given this, RCN suggests that Verizon's proposal be modified so that the following underscored language is added and the struck though language is removed:

Transport will be provided by the Telephone Company from the CLEC's premises to the Telephone Company end office (meet points A and C) or access tandem (meet point B) under the terms and conditions of DTE MA No. 17~~the applicable Telephone Company tariff~~.

In addition, Verizon's proposal fails to rectify the problem created by the unwarranted collocation requirement set forth in Part B, Section 2.1.1.B.3 of the DTE MA No. 17 tariff. For the reasons provided in RCN's March 18, 2003 Comments, Verizon's condition that CLECs be collocated to access unbundled dedicated IOF transport conflicts with FCC precedent and rules, which Verizon recognizes is an "overly restrictive" requirement. Verizon Reply Comments at 36.

Therefore, this condition should be removed and the following struck through language should be removed from Part B, Section 2.1.1.B.3 of the DTE No. 17 tariff:

A CLEC designated TC central office premises and ~~a collocation arrangement established within~~ a Telephone Company central office.

Likewise, Verizon's proposal fails to remedy the fact that Verizon's definition of Entrance Facilities contains a switching requirement, which RCN opposes and Verizon recognizes is "overly restrictive." RCN therefore urges, as it did in its March 18, 2003 Comments, that the definition of Entrance Facility in Part B, Section 2.2.2.A of the DTE MA No. 17 tariff be revised so that the following struck through language is removed:

An Entrance Facility provides for the transmission facility between the TC's ~~switch~~ location and the Telephone Company serving wire center.

An original and one (1) copy of this filing are attached. Please date-stamp the enclosed extra copy of this filing and return it in the attached self-addressed, postage prepaid envelope provided. Should you have any questions concerning this filing, please do not hesitate to contact me.

Respectfully submitted,

Eric J. Branfman
Philip J. Macres

Counsel for RCN-BecoCom, LLC

cc: DTE 01-20 Service List